THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 6068 of 1998

DATE: 09-03-2007

Between :

B.Mallaiah and 20 others.

… Petitioners

And

Sub-Divisonal Forest Officer,
Mahaboobabad, Warangal District
And 3 others.

… Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 6068 of 1998

ORDER:

This writ petition is filed seeking a declaration that the alleged action of the respondents in interfering with the possession of the petitioners of their land situated in Sy.Nos.133, 135, 136, 137, 138, 148, 149, 150,151, 152, 153, 153/E,154 of Chinnanagaram village, Nellikuduru Mandal, Warangal District is illegal and arbitrary.

It is pleaded in the affidavit filed in support of the writ petition that all the petitioners are tribals, who are in possession of small extents of land in Chinnanagaram village. It is claimed that they are pattadars and absolute owners as could be seen from the pahanies, however, the respondents have been attempting to interfere with their possession without there being any justifiable reason.

Though Rule Nisi was ordered on 06-03-1998 and interim stay of dispossession was granted, none of the respondents have chosen to file any counter affidavit.

Having regard to the facts and circumstances of the case and in the absence of any counter affidavit on behalf of the respondents contradicting the claim of the petitioners,

I deem it appropriate to dispose of the writ petition with a direction to the respondents not to dispossess the petitioners from the land in question without following due process of law. No costs.

G. ROHINI, J.

Dt. 09-03-2007
KLP